

EC-6093. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed export license for the production of helmet mounted display systems for fighter aircraft operated by the Government of Japan (DTC92-98); to the Committee on Foreign Relations.

EC-6094. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed export license to provide logistics support for certain radars used on E767 AWACS planes procured by the Government of Japan (DTC87-98); to the Committee on Foreign Relations.

EC-6095 communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed export license agreement with Greece for the manufacture of certain rifles and grenade launchers (DTC 82-98); to the Committee on Foreign Relations.

EC-6096. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed export license agreement with Germany for the production of certain semiautomatic pistol components (DTC 74-98); to the Committee on Foreign Relations.

EC-6097. A communication from the Director of the Defense Security Assistance Agency, transmitting, pursuant to law, the annual report on Military Assistance, Military Exports, and Military Imports; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-511. A resolution adopted by the House of the Legislature of the State of Louisiana; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 120

Whereas, Article III, Section 1 of the Constitution of the United States, provides in part that "... The Judges, both the supreme and inferior Courts, shall hold their Offices during good Behaviour, . . ."; and

Whereas, this clause has been interpreted to mean that "... (a) person appointed to office of United States district judge becomes entitled to draw salary of office so long as he continues to 'hold office', and he 'holds office' until he voluntarily relinquishes it or is ousted by impeachment or death." *Johnson v. U.S.*, 79 F. Supp. 208 (1948); and

Whereas, this clause has been further interpreted to mean "... Judges of federal 'constitutional' courts which have been invested with the judicial power of the United States pursuant to this article are guaranteed life tenure during good behavior and compensation which may not be reduced during their term of office. . . ." *Montanez v. U.S.*, 226 F. Supp. 593 (1964) affirmed 371 F.2d. 79; and

Whereas, the system appears to still maintain an independent judiciary uninfluenced by undue public pressure in the inferior federal courts in which judges are not granted life tenure; and

Whereas, a common complaint that the public makes about federal district judges is that they are not accountable to the people because of this life tenure; and

Whereas, this public complaint continues that these judges, because of their insulation and isolation after a certain length of time in office, lose touch with the problems facing

and feelings of the majority of the American people; and

Whereas, state district, appellate, and supreme court justices in Louisiana have specific limited terms of office, as do other inferior federal courts, such as bankruptcy judges whose term is fourteen years; and

Whereas, this constitutional amendment would not give the people the right to vote for a federal judge, but only the right to voice their opinion on whether the appointment of federal district judges should be for a limited term short of life tenure; and

Whereas, the system appears to still maintain an independent judiciary uninfluenced by undue public pressure in the inferior federal courts in which judges are not granted life tenure; and

Whereas, Article V of the Constitution of the United States provides that an amendment to the constitution may be proposed by congress which shall become part of the constitution when ratified by three-fourths of the several states. Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby urge and request the Congress of the United States to propose an amendment to the Constitution of the United States, for submission to the states for ratification, to provide for election of members of the federal judiciary. Be it further

Resolved, That certified copies of this Resolution be transmitted by the secretary of state of the president and the secretary of the United States Senate, to the speaker and clerk of the United States House of Representatives, to each member of this state's delegation to the congress and to the presiding officer of each state legislature in the United States.

POM-512. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 60

Whereas, in an amazingly short time, the Internet has become a key means of communicating in this country. It is already a prominent vehicle for doing business through selling goods and services and providing information leading to commercial transactions. The business value of selling access to the Internet is in itself a multi-billion-dollar enterprise. The growth projections for the Internet and for its impact on commerce are very high; and

Whereas, as with any new aspect of commerce, there are numerous tax implications associated with the Internet. The new technology and capabilities can be used to avoid local taxes. Numerous transactions involve automatic transfers of money for goods and services. Borders and jurisdictions have become far less significant in this new marketplace; and

Whereas, with the rise of the Internet, state and local policymakers have suggested various ways to tax this activity. Some states have explored telecommunications taxes and taxes on Internet service providers. Industry observers are concerned that implementing a "modem tax" could disrupt the development of a new tool for commerce and economic development; and

Whereas, with the complexity of issues involved and the constant changes in this new technology as it takes shape, imposing taxes specific to the Internet would likely be harmful. Any possible gains in revenues would be more than offset by long-term changes in the evolution of the Internet. Greed should not drive policy or taxation decisions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the

Congress of the United States to enact legislation to create a moratorium on new national, state, and local taxes on the Internet; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-513. A resolution adopted by the House of the Legislature of the State of Michigan; to the Committee on Finance.

HOUSE RESOLUTION NO. 240

Whereas, the federal income tax system includes deductions and credits for a wide variety of personal and business expenses. These exceptions from certain calculations of taxation reflect public policy values that elected officials have established over many years; and

Whereas, in determining federal tax liability, most state and local taxes are deductible, including income taxes and property taxes. These policies recognize the value of taxes paid to finance state and local government activities. For many years, state sales taxes were also deductible. Federal tax laws were changed in 1986 to discontinue the deductibility of state sales taxes; and

Whereas, it is inconsistent for the federal government to allow citizens to deduct some taxes paid for state and local government, such as property and income taxes, and not allow deductions for state sales taxes. State sales taxes, in Michigan as elsewhere, finance the same types of public purpose programs financed through other state and local taxes that are fully deductible. The current situation is very inconsistent and frustrating to taxpayers across our state and throughout the country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact and the President to sign legislation to allow state sales taxes to be deductible from federal income taxes and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-514. A resolution adopted by the General Assembly of the Legislature of the State of New Jersey; to the Committee on Indian Affairs.

ASSEMBLY RESOLUTION NO. 13

Whereas, during 1980's, certain Indian tribes began to conduct significant amounts of gambling on reservations and other land held in trust for the tribes by the federal government; and

Whereas, this activity was largely unregulated by the federal government and beyond the reach of state law, and

Whereas, the vast sums of money generated from gambling by the mostly non-Indian patrons of Indian bingo halls and casinos raised concerns about the risk of corruption especially by organized crime influences; and

Whereas, Congress responded to these concerns in 1988 by enacting the Indian Gaming Regulatory Act which attempted to provide a regulatory framework that balanced the interests of the federal government, the States and the tribes; and

Whereas, that act did not adequately address many of the issues raised by Indian gaming and permitted the continued proliferation of poorly-regulated gaming facilities; and

Whereas, under the existing statutory scheme it may be possible for the Delaware

Indians of Western Oklahoma, a group which has had no nexus with the State of New Jersey for over a century, to gain control over, and operate a casino on, a site in Wildwood, New Jersey; and

Whereas, this proposed casino would not be subject to regulation or taxation by this State and would directly compete with Atlantic City's casinos and other forms of legalized gambling; and

Whereas, H.R. 334 of 1997, the "Fair Indian Gaming Act," would close many of the loopholes in the existing federal law and address the risk of corruption by enhancing federal and State regulation of gambling conducted by Indian tribes; now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. The Congress of the United States is respectfully memorialized to enact H.R. 334 of 1997, the "Fair Indian Gaming Act," into law.

2. A copy of this resolution, signed by the Speaker of the General Assembly and attested by the Clerk thereof, shall be transmitted to the Vice-President of the United States, the Speaker of the House of Representatives, and every member of Congress elected from this State.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself and Mr. GRAMM):

S. 2325. A bill to provide an opportunity for States to modify agreements under title II of the Social Security Act with respect to student wages; to the Committee on Finance.

By Mr. BRYAN (for himself and Mr. MCCAIN):

S. 2326. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about children on the Internet, to provide greater parental control over the collection and use of that information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COATS (for himself and Mr. LIEBERMAN):

S. 2327. A bill to provide grants to grassroots organizations in certain cities to develop youth intervention models; to the Committee on the Judiciary.

By Mr. BROWNBACK (for himself and Mr. GRASSLEY):

S. 2328. A bill to establish the negotiating objectives of the United States with respect to the WTO Agreement on Agriculture, to establish criteria for the accession of state trading regimes to the WTO, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. BINGAMAN, and Mr. GRAHAM):

S. 2329. A bill to amend the Internal Revenue Code of 1986 to enhance the portability of retirement benefits, and for other purposes; to the Committee on Finance.

By Mr. LOTT (for Mr. NICKLES (for himself, Mr. FRIST, Ms. COLLINS, Mr. JEFFORDS, Mr. ROTH, Mr. SANTORUM, Mr. HAGEL, Mr. GRAMM, Mr. COATS, Mr. LOTT, Mr. MACK, Mr. CRAIG, Mr. COVERDELL, Mr. ABRAHAM, Mr. ALLARD, Mr. ASHCROFT, Mr. BENNETT, Mr. BOND, Mr. BROWNBACK, Mr. BURNS, Mr. COCHRAN, Mr. DOMENICI, Mr. ENZI, Mr. FAIRCLOTH, Mr. GORTON, Mr. GRAMS, Mr. GRASSLEY, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr.

KEMPTHORNE, Mr. LUGAR, Mr. MCCAIN, Mr. MURKOWSKI, Mr. ROBERTS, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, and Mr. WARNER):

S. 2330. A bill to improve the access and choice of patients to quality, affordable health care; read the first time.

By Mr. LUGAR:

S. 2331. A bill to provide a limited waiver for certain foreign students of the requirement to reimburse local educational agencies for the costs of the students' education; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DORGAN (for himself and Mr. FRIST):

S. Con. Res. 108. A concurrent resolution recognizing the 50th anniversary of the National Heart, Lung, and Blood Institute, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BRYAN (for himself and Mr. MCCAIN):

S. 2326. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about children on the Internet, to provide greater parental control over the collection and use of that information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF 1998

Mr. BRYAN. Mr. President, today the chairman of the Senate Commerce Committee and I are introducing "the Children's Online Privacy Protection Act of 1998." Commercial Web sites are currently collecting and disseminating personal information collected from children that may compromise their safety and most certainly invades their privacy. This legislation will ensure that commercial Web sites that collect and use personal information from children will have safeguards in place to protect you and your family.

The Internet is quickly becoming an significant force in the lives of our children as it moves swiftly into homes and classrooms around the country. Currently more than 3 million children under the age of 18 are online and the number is expected to grow to 15 million by the turn of the century.

I think all would agree that proficiency with the Internet is a critical and vital skill that will be necessary for academic achievement in the next century. The benefits of the Internet are extraordinary. Reference information such as news, weather, sports, stock quotes, movie reviews, encyclopedia and online airline fares are readily available. Users can conduct trans-

actions such as stock trading, make travel arrangements, bank, and shop online.

Millions of people communicate through electronic mail to family and friends around the world, and others use the public message boards to make new friends and share common interests. As an educational and entertainment tool, users can learn about virtually any topic or take a college course.

Unfortunately, the same marvelous advances in computer and telecommunication technology that allow our children to reach out to new resources of knowledge and cultural experiences are also leaving them unwittingly vulnerable to exploitation and harm by deceptive marketers and criminals.

Earlier this spring, I held several meetings in Nevada with educators and parents' representatives to alert them of some of the deceptive practices found on the Internet. Representatives of the FBI and Federal Trade Commission informed Nevadans about some of the Internet's pitfalls. I found it extremely informative and enlightening and to some extent frightening.

You may be startled to learn what information other people are collecting about you and your family may have a profound impact upon their privacy and, indeed, their safety.

Once what may seem to be harmless information has made its way onto the Internet, there is no way of knowing what uses may be put to that information.

Senator MCCAIN and I wrote to the FTC asking them to investigate online privacy issues. Recently, the FTC completed the survey of a number of web sites and found that 89 percent of children's sites collect personal information from children, and less than 10 percent of the sites provide for parental control over the collection and use of this personal information.

I was, frankly, surprised to learn the kinds of information these web sites are collecting from our children. Some were asking where the child went to school, what sports he or she liked, what siblings they had, their pet's name, what kind of time they had after school alone without the supervision of parents.

Others were collecting personal financial information like what the family income was, does the family own stocks or certificates of deposit, did their grandparents give them any financial gifts?

Web sites were using games, contests, and offers of free merchandise to entice children to give them exceedingly personal and private information about themselves and their families. Some even used cartoon characters who asked children for personal information, such as a child's name and address and e-mail address, date of birth, telephone number, and Social Security number.